

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1182 be amended to read as follows:

- 1 Page 3, between lines 10 and 11, begin a new paragraph and insert:
- 2 "SECTION 2. IC 33-5-37.8 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2000]:
- 5 **Chapter 37.8. Orange Superior Court**
- 6 **Sec. 1. There is established a court of record to be known as the**
- 7 **Orange superior court (referred to as "the court" in this chapter).**
- 8 **The court may have a seal containing the words "Orange Superior**
- 9 **Court, Orange County, Indiana". Orange County comprises the**
- 10 **judicial district of the court.**
- 11 **Sec. 2. (a) The court has one (1) judge, who shall be elected at**
- 12 **the general election every six (6) years in Orange County. The**
- 13 **judge's term begins January 1 following the election and ends**
- 14 **December 31 following the election of the judge's successor.**
- 15 **(b) To be eligible to hold office as judge of the court, a person**
- 16 **must:**
- 17 **(1) be a resident of Orange County;**
- 18 **(2) be less than seventy (70) years of age at the time of taking**
- 19 **office; and**
- 20 **(3) be admitted to the bar of Indiana.**
- 21 **Sec. 3. (a) Except as provided in subsection (b), the court has the**
- 22 **same jurisdiction as the Orange circuit court.**
- 23 **(b) The Orange circuit court has exclusive juvenile jurisdiction.**
- 24 **Sec. 4. The judge of the court has the same powers relating to**

the conduct of the business of the court as the judge of the Orange circuit court. The judge of the court also may administer oaths, solemnize marriages, and take and certify acknowledgments of deeds.

Sec. 5. The judge of the court shall appoint a bailiff and an official court reporter for the court. The judge may appoint a referee, commissioner, or other personnel as the judge considers necessary to facilitate and transact the business of the court. Their salaries shall be fixed in the same manner as the salaries of the personnel for the Orange circuit court. Their salaries shall be paid monthly out of the treasury of Orange County as provided by law. Personnel appointed under this section continue in office until removed by the judge of the court.

Sec. 6. The clerk of the court, under the direction of the judge of the court, shall provide order books, judgment dockets, execution dockets, fee books, and other books for the court, which shall be kept separately from the books and papers of other courts.

Sec. 7. The court shall hold its sessions in the Paoli Office Complex in Paoli, Indiana, or in such other places in the county as the Orange county executive may provide. The county executive shall provide and maintain a suitable courtroom and other rooms and facilities, including furniture and equipment, as may be necessary. The Orange County fiscal body shall appropriate sufficient funds for the provision and maintenance of these rooms and facilities.

Sec. 8. The jury commissioners appointed by the judge of the Orange circuit court shall serve as the jury commissioners for the court. Juries shall be selected in the same manner as juries for the Orange circuit court. The grand jury selected for the Orange circuit court shall also serve as the grand jury for the court as may be necessary.

Sec. 9. The judge of the Orange circuit court may, with the consent of the judge of the court, transfer any action or proceeding from the circuit court to the court. The judge of the court may, with the consent of the judge of the circuit court, transfer any action or proceeding from the court to the circuit court.

Sec. 10. The judge of the Orange circuit court may, with the consent of the judge of the court, sit as a judge of the court in any matter as if the judge of the circuit court were an elected judge of the court. The judge of the court may, with the consent of the judge of the circuit court, sit as a judge of the circuit court in any matter as if the judge of the court were an elected judge of the circuit court.

Sec. 11. The court has a standard small claims and misdemeanor division."

Page 5, after line 23, begin a new paragraph and insert:

"SECTION 11. [EFFECTIVE JULY 1, 2000] (a) On July 1, 2000,

1 the Orange county court is abolished.

2 (b) Any case pending in the Orange county court after the close
3 of business on June 30, 2000, is transferred on July 1, 2000, to the
4 Orange superior court established by this act. All cases transferred
5 under this SECTION that are eligible to be heard by the standard
6 small claims and misdemeanor division shall be transferred to the
7 standard small claims and misdemeanor division of the court. A
8 case transferred under this SECTION shall be treated as if the case
9 were filed in the Orange superior court.

10 (c) On July 1, 2000, all property and obligations of the Orange
11 county court become the property and obligations of the Orange
12 superior court.

13 (d) The initial judge of the Orange superior court added by this
14 act shall be the person who is the Orange county court judge on
15 June 30, 2000. The term of the initial judge begins July 1, 2000, and
16 ends December 31, 2002. The initial election of a judge for the
17 Orange superior court added by this act shall be the general
18 election conducted on November 5, 2002. The term of the initial
19 elected judge begins January 1, 2003.

20 (e) This SECTION expires January 2, 2003."

21 Renumber all SECTIONS consecutively.

(Reference is to HB 1182 as printed January 20, 2000.)

Representative Steele